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**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Docket Number (Optional)

034297-031

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on October 14, 2005

Signature

Typed or printed name

Ruth Rodriguez

Application Number

09/333,565

Filed

06/21/99

First Named Inventor

Nicholas Steigelman

Art Unit

2646

Examiner

Harold, Jeffrey F.

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☐

attorney or agent of record.

Registration number \_\_\_\_\_

☒

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34

38,745

Signature

Khaled Shami

Typed or printed name

408-292-5800

Telephone number

October 10, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐

\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Serial No. 09/333,565  
Atty. Docket No. 034297-031

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Nicholas Steigelman et al.  
SERIAL NO.: 09/333,565  
FILING DATE: 06/21/99  
TITLE: TELEPHONE-COUPLED DEVICE FOR INTERNET ACCESS  
EXAMINER: Harold, Jefferey F.  
ART UNIT: 2646

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**CERTIFICATE OF MAILING**

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Name: 

Ruth Rodriguez

Date: 10/11/05

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Attachment to Pre-Appeal Brief Request For Review**

Applicant respectfully requests a formal review of the legal and factual basis of the rejections in the above referenced application in view of the following remarks:

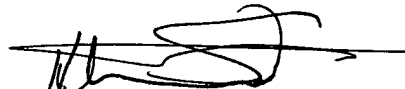
1. **Claims 1, 3, and 12 – 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Aldous et al (U.S. Pat. No. 5,183,404). Applicant traverses this rejection for the reasons provided in the Response to Office Action filed January 13, 2005. See page 6, second complete paragraph of that Response in particular.**
2. **Claims 2 – 4 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Aldous in view of “well-known prior art.” Applicant traverses this rejection for the reasons provided in the Response to Office Action filed January 13, 2005. See page 7 of that Response in its entirety.**

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

THELEN REID & PRIEST, LLP

Dated: 10/10/05

  
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